

Minutes of the Commission Meeting of the Board of Commissioners, Carbon County, State of Utah, held April 6, 2016 at the Administration Building, Price, Utah, commencing at 4:30 p.m.

Those present: Jae Potter, Commission Chair
 Jake Mellor, Commissioner
 Casey Hopes, Commission

Also present: Seth Oveson, Clerk/Auditor
 Sandy Lehman, Commission Secretary
 Lori Perez, Deputy Clerk
 Jeff Wood, Deputy
 Christian Bryner, Attorney
 Rose Barnes, HR

Clerk's Certificate of Compliance with Open Meeting Law was filed.

Commissioner Potter welcomed everyone and led the Pledge of Allegiance. The meeting began at 4:30 p.m.

Commissioner Potter asked that agenda item #5 be moved up because Doug Folsom has another meeting in Vernal. Commissioner Mellor made a motion to address agenda item #5 now, Commissioner Hopes seconded. Motion carried.

1) CONVENE as Carbon County Municipal Building Authority.

Commissioner Mellor made a motion to convene as the Carbon County Municipal Building Authority, Commissioner Hopes seconded. Motion carried.

A) A RESOLUTION AUTHORIZING NOT MORE THAN \$14,800,000 LEASE REVENUE BONDS, IN ONE OR MORE SERIES, OF THE MUNICIPAL BUILDING AUTHORITY OF CARBON COUNTY, UTAH FOR A NEW COURT FACILITIES; FIXING THE MAXIMUM INTEREST RATE, MATURITY AND DISCOUNT OF THE BONDS; CALLING A PUBLIC HEARING AND NOTICE THEREOF; AND RELATED MATTERS.

Christian explained that this is for the new 7th District Court facility which is being designed and built by the State's Division of Facilities Construction management team. The State has employed its own architects and designers to develop plans for a new courthouse which would meet current requirements. The State would then lease the building from the County for an amount that would allow the County to pay back the bonds. No money will be coming out of the County's general fund. The public hearing will be held at the Commission Meeting on May 4, 2016 at 4:30 p.m. After this approval, notice of the public hearing can be advertised in the newspaper.

Commissioner Potter said this building will be a great addition to our community. It will be developed by the State Courts in conjunction with the County. It will be paid for by the courts system which is also a benefit to our community.

Commissioner Hopes said Okland Construction has been selected as the general contractor and any local contractors interested in subcontracting work can contact them directly.

Clerk/Auditor Seth Oveson noted that we will be having a work meeting on April 20th at 3:00 p.m. here in the commission chambers for those who are interested in the conceptual drawings of the building. The architect will be in attendance to introduce the planning of the building and to answer any questions. Price City and other who are interested in the building have been invited to attend.

Commissioner Potter asked about advertisement for this meeting and Seth said it is already on the public notice website and will be published in the newspaper.

Commissioner Potter made a motion to approve the Resolution (MBA 2016-2) and to move forward with the public hearing the first Wednesday in May. Commissioner Mellor seconded. Motion carried.

B) ADJOURN as Carbon County Municipal Building Authority; RECONVENE as Carbon County Board of Commissioners

Commissioner Potter made a motion adjourn as the Municipal Building Authority and reconvene as the Carbon County Board of Commissioners, Commissioner Mellor seconded. Motion carried.

2) A RESOLUTION APPROVING THE ADOPTION BY THE MUNICIPAL BUILDING AUTHORITY OF CARBON COUNTY, UTAH OF A PARAMETERS RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF NOT MORE THAN \$14,800,000 LEASE REVENUE BONDS IN ONE OR MORE SERIES AND RELATED MATTERS.

Commissioner Hopes made a motion to approve the resolution (2016-2). Commissioner Mellor seconded. Motion carried.

3) Approval of Minutes

Commissioner Hopes made a motion to approve the March 16, 2016 Work Meeting, Commissioner Mellor seconded. Motion carried.

Commissioner Hopes made a motion to approve the March 2, 2016 Commission Meeting with a correction on the first page replacing "Office" with "Officer" in the fifth paragraph. Commissioner Mellor seconded with the changes made. Commissioner Potter was not in attendance at this meeting and abstained. Motion carried.

Commissioner Hopes made a motion to approve the March 16, 2016 Commission Meeting minutes. Commissioner Mellor seconded. Motion carried.

4) County Employee of the Month Award – Rose Barnes

Rose said the Employee of the Month is Mike Adams from the Sheriff's Office who was nominated by Sheriff Wood and Price City Police Officer Bill Barnes. Officer Barnes said that Mike and his partner Steven Regruto are agents on the Drug Task Force. Over the last two years the Task Force has done more than anyone else in the community to help people with a drug problem. Most of what they do cannot be discussed and is behind the scenes. There are two things that they do: they take down dealers of death and they give an opportunity to people who struggle with addiction to get help. Without these two men these people would never have this opportunity in their lives. These guys care about the people in our community. Officer Barnes congratulated them for their efforts; they are a really good team.

Sheriff Wood said it is his pleasure to see Mike receive this award. He has taken this assignment wholeheartedly over the last year and a half. There is chemistry in his partnership with Steve and this team has been successful because of it. The next person to assist Mike Adams will be the key. Detective Adams is a team player and he is the perfect person for this position and does a stellar job.

Detective Mike Adams said what has been accomplished is because of his partnership with Sgt. Regruto. It couldn't have been done without each other.

5) TAP Presentation – Utah Local Government Trust, Doug Folsom

(This item was presented at the first of the meeting because Doug had to attend another meeting).

In an effort to control accidental losses and liabilities the Trust offers a program called the Trust Accountability Program (TAP) to help members implement best practices to have safe operations and to avoid liabilities. Out of the 500 members of the Utah Local Government Trust, about 75 of those have completed the TAP program this last year. Carbon County is counted in this group. Doug's primary purpose here tonight is to thank Carbon County for their support in making this safety program a priority.

This safety program entails the following:

- *A safety committee who looks at incidents and accidents and identifies root causes and implements action in order to prevent those incidents from reoccurring.
- *A safety program to promote a certain level of training
- *Self-audits and self-inspections to make sure that potential unsafe conditions are identified and addressed proactively.
- *A program that involves getting injured employees back to work as soon as possible

*Ensuring that the County has safe drivers operating County vehicles

Doug presented Don Johnson with the award for the County and said Don has been instrumental in completing the TAP program for 2015. In addition to the presentation there is a \$4,000 cash award. For 2016 additional discounts on our Workers Compensation premium will be given, which will grow every year that the Tap program is completed up to three consecutive years. Doug hopes these benefits can be put to good use and to encourage safety in our organization.

Commissioner Potter thanked Doug and asked Don to explain what he is doing. Don said the program is ongoing. Utah Local Government Trust has resources available that Don has used. Commissioner Mellor asked what the savings would be for Workers Compensation. Doug said specifically on the TAP Award you will receive a 1 ½% discount per year on the next renewal which could be \$1,000 to \$1,500 and can grow to 4 ½% over three years. As the TAP award is received each year the savings could be \$4,000 to \$5,000 in a cash award and approximately an equal amount as discounts off of our Workman's Comp premium. As losses are controlled there will be additional savings on top of that.

Commissioner Hopes thanked Don Johnson, who has worked with every department throughout the County to make this a success. Don said it takes everyone to make it successful.

6) Open Sealed bids for Hauling up to 600 ton of LMCRS-2 Chip Seal Oil

Two bids were received:

Basin Western Inc. \$40.54 per ton for a 25 ton minimum load, \$37.21 per ton for a 35 ton minimum load plus additional charges for waiting.

R-N-M Logistics LLC \$39 per ton for a 35 ton minimum from North Salt Lake, \$42 per ton for a 35 ton minimum from Tooele, Utah. Plus additional charges including fuel surcharges and return of reject loads.

Commissioner Mellor made a motion to acknowledge the bids and have Daniel Campbell review the bids, make a recommendation and move forward with those recommendations. Commissioner Hopes seconded. Motion carried.

7) Open sealed bids for Weed and Mosquito Chemicals

Eight bids were received:

Crop Production Services (CPS)	bid acknowledged
Gill Manufacturing Inc.	bid acknowledged
Univar	bid acknowledged
Target Specialty Products Inc.	bid acknowledged
Steve Regan, Spanish Fork	bid acknowledged
Adapco	bid acknowledged
Red River Specialties	bid acknowledged
Wilbur-Ellis	bid acknowledged

Seth explained that these bids are chemical specific, the companies were requested to provide individual pricing for each chemical and Carbon County will award the bids based on the individual chemical price. His recommendation is to acknowledge the bids and turn them over to Chris Rowley to review and award accordingly.

Commissioner Hopes made a motion to accept the recommendation; Commissioner Mellor seconded adding that they want Chris to report back with what choices he made. Commissioner Hopes allowed the amendment to his motion. Motion carried.

8) Review and possible approval of Contract Amendment/Modification for treatment of noxious weeds on BLM lands

Christian has reviewed the contract and it looks like they will pay us an additional \$10,000 for a total of \$30,000 to spray for weeds on BLM land. Chris said this is a five year contract and they are amending it to add \$10,000 per year over the next three years. Seth said we are budgeted to already receive \$10,000 this is a net increase of an additional \$10,000 or \$30,000 over the three year window.

Commissioner Hopes made a motion to approve the contract amendment modification with the BLM, Commissioner Mellor seconded. Motion carried.

9) **Consideration and possible approval of Cooperative Agency MOU for Special Recreation Management Area Planning – Ahmed Mohsen, BLM Price Office Field Manager**

Ahmed Mohsen said Carbon County is blessed with beautiful Nine Mile Canyon and all of the resources that come under that. In the past few years, Carbon County has partnered with the BLM to make sure that the resources in Nine Mile Canyon are protected for visitors. Carbon County and the BLM have been working together to mitigate the impacts in the Canyon including building the new road. The job is not done yet, there are still a few more things to do to bring the Canyon into the proper management level. The programmatic agreement that was signed between the BLM, Carbon County and the State requires implementation and action on the ground.

The BLM has tried to strike a balance between use and conservation. This special recreation management area will achieve a certain level of recreation but will also allow for protection of the visiting resources.

A year ago the BLM asked for input from Carbon County and the public regarding issues that will be addressed in this environmental assessment. The BLM is about to release a draft document this summer. They sent a letter to the County asking for cooperation in this effort. Under NEPA (National Environment Policy Act) the counties are afforded a cooperative agency status which gives the County more involvement in the development of the environmental document before the actual public review begins. Ahmed would like to invite the County to continue to work with them and to formalize an agreement, there is an existing agreement but it is broad.

Christian said he and Rex spoke about this. Christian has not reviewed the agreement from the past. Christian's thoughts are that the broad agreement may be sufficient and may be what we want in order to have the flexibility to work. He doesn't think we will need a new one but he will look this over with Rex, Ahmed and the Commission to decide. What we have may be sufficient.

Commissioner Potter asked if we need to take any action at this point. We are all interested in Nine Mile Canyon and want to make the best use of it. Having the cooperative agency status makes a real difference.

Christian said he will follow up with Rex and start working with the BLM. They should be able to figure things out by next week if any additional agreement is needed.

Ahmed said the BLM can't do this job without the County. Duchesne and Uintah counties have also been invited to be involved. They want full disclosure and public involvement with the process and there should be no surprises.

Commissioner Mellor made a motion that would allow Christian to review and make adjustments as needed and coordinate with Ahmed. Christian said if any significant changes are made he would bring it back to the commissioners for review. Commissioner Hopes seconded. Motion carried.

10) **Consideration and possible approval to join a coalition of counties and to be added to American Stewards of Liberty list for the comments on BLM Planning Rule 2.0 – Rex Sacco**

Christian said there is a coalition of counties led by Kane County who want to engage legal counsel to prepare comments in response to a notice in the federal register. The Department of the Interior intends to amend an existing regulation pertaining to procedures for revising or amending land use plans under FLPMA (Federal Land Policy & Management Act). These changes may not be in the best interest of the county. The consensus is that these changes will make it more difficult for counties to participate in the planning process under FLPMA. These groups of counties want to submit comments in response to the proposed amendments. This action is being led by the American Stewards of Liberty, a nonprofit group that took the lead in an effort to protect private property rights in local areas. They have competent attorneys who forwarded a draft noting their concerns. Christian explained that the rules now state that land use planning shall be consistent with local plans and the proposal says it will be consistent to the maximum extent that the BLM finds practical. This is a diminishment in the County's local land use planning.

These comments would allow the preservation of the role we have traditionally had and currently enjoy. The recommendation is that the Commission authorizes this group to make comments on behalf of the county along with other local entities and to make a monetary contribution for this effort.

Christian has prepared a resolution allowing us to join in the comments being made against the proposed regulations.

Commissioner Potter said he believes that there is power in combining together but can we make comments outside of this group. Christian said this group has laid the ground work but there is no reason why we could not do our own work. All comments are required by April 20th however they are asking for an extension until August. We could spare the expense of donating to an outside group and do our own research.

Commissioner Potter said that Kane County Commissioner Jim Madsen, spoke to him about this effort to protect the overall rights in this planning process. This has been Commissioner Potters only contact.

Christian is willing to spend the time to look at it and make those comments if the Commission prefers that the County attorney's office proceeds. The concept is that if it is being presented jointly by a group of governmental entities it might catch more attention or carry more weight, but it is not necessary.

Commissioner Mellor said we have participated with groups like this before. Christian said this is unique because the coordination is being made by an outside entity.

Commissioner Hopes asked if there is more weight from a non-governmental group like the American Stewarts of Liberty or from the County submitting it on their own. Christian said it is hard to say, it depends on the attorneys names and if they are recognized, in the end they won't care who brings the comments, they will look at the validity and strength of the comments and not who they are coming from. If we submit our own comments they may have just as much weight.

Commissioner Mellor clarified that this is a firm that specializes in this kind of litigation who will be providing comments on our behalf. Christian said they seem to know what they are doing. They are not asking for a minimum amount but will be expecting some kind of donation.

Commissioner Hopes asked how much time Christian would spend on this. Christian said he could spend time and we are not the only ones looking at this. If we choose to develop our own comments there are other attorneys he can reach out to. He would be happy to make this a priority and work with Rex to come up with our own comments.

Commissioner Hopes made a motion to have Christian and Rex work together to develop comments to send to the BLM. Commissioner Mellor made a substitute motion to allow Christian and Rex to work on this but if they need to use another attorney to bring it back to the Commission. Commissioner Hopes asked for a monetary amount in the substitute motion. Commissioner Mellor said when it is brought back the decision can be made then but probably \$500 to \$1,000. Commissioner Hopes allowed his motion to die. Commissioner Mellor's motion stayed. Commissioner Hopes seconded. Commissioner Potter said the American Stewarts of Liberty have a coalition comment deadline by April 15, 2016 which is past the next Commissioner Meeting. We could have a special commission meeting if needed. Motion carried.

Christian said if the American Stewarts of Liberty get a ninety day extension it will give us more time to consider. Christian will proceed and get comments to them by the actual deadline of April 22nd.

11) Presentation by Whispering Earth Farms a non-profit

Don Allred is the founder and executive director of Whispering Earth Farms. This is a nonprofit organization working for local families who need assistance to put healthy food on the table. They have been working with USU Extension who has been teaching classes for them. Whispering Earth's location is 1733 Haycock Lane in Spring Glen. Whispering Earth Farms has other garden spots around the area. They are working with disabled veterans who are being referred to them by Matthew Peet, a nurse practitioner at the VA. They are planning on setting up a Farmers Market at the Senior Center. The Boys and Girls Club are scheduled to come out to see if they can participate.

Commissioner Potter asked how long they had been doing this. Don said they were founded last year and this is their first full year in operation. Last year they were able to see the impact it had on people's lives. They will be scaling it up this year.

Commissioner Potter said this is good information and wants to be kept up to date as to where the gardens are so that they can help.

12) Appointments to fill vacancies on County Boards

Three boards still have vacancies:

Carbon County Board of Adjustments – two alternates have applied they are Mike Kourianos and Boyd Marsing. Commissioner Mellor made a motion to accept these two candidates. Commissioner Hopes seconded. Motion carried.

Housing Authority of Carbon County – one vacancy and Mike Kourianos has applied. Sandy asked Christian if someone had talked to David Wilkinson and if this needs to be a housing resident. Christian's recommendation is to make this appointment provisionally upon whether this is needed or not. If Mike cannot serve because it needs to be a resident then he would have to be notified. Seth said the board cannot function as it currently is because it is not complete. Commissioner Mellor made a motion to accept the application from Mike Kourianos, Commissioner Hopes seconded. Motion carried.

Weed Board – There are three vacancies and both Boyd Marsing and Mike Kourianos have applied. Commissioner Hopes made a motion to appoint Mike Kourianos and Boyd Marsing to the Weed Board. Commissioner Mellor seconded. Motion carried.

13) Approval of VOCA Grant – Denna Fausett

Denna is submitting this grant for approval for the 2016 and 2017 year. It has increased by \$7,228.30 which will be used for salary, travel, supplies and emergency. She has sent the Commissioners a current copy with the changes.

Commissioner Mellor made a motion to accept the VOCA Grant, Commissioner Hopes seconded. Motion carried. Denna gave it to Sandy for signatures and she will get it back tomorrow.

14) Report on County Tourism Department – Shalee Johansen

Shalee presented a power point presentation. She talked about the TRT and TRCC tax revenue that has been generated from January to February of 2016. In January they generated \$20,972 and in February \$53,516 which is a huge jump. They are calling the hotels to find out why the increase. It increased over \$10,000 from February last year.

Shalee discussed the Mighty Five promotion sponsored jointly by the Utah Office of Tourism and the National Parks Service. This has been very successful. They are now promoting the roads to the Mighty Five which includes Carbon County. She will be meeting with the Utah Office of Tourism to strategize on ways to promote Carbon County.

Some of the tax recipients for 2016 are: Western Mining and Railroad Museum, Lunatic Marathon, Helper Arts and Music Festival, Finish Line Promotions, Black Diamond Golf Tournament, Robbers Roost Team Roping, Black Diamond Rodeo, Castle Gate Posse, National Barrel Horse Association and the Carbon County Leisure Services where they are providing mounds for the Baseball Tournaments.

Stephanie explained that the Office of Tourism is on Facebook and they have 5200 likes. Throw Back Thursday is the most popular post with thousands of comments. Stephanie explained which photos had the most likes. Stephanie discussed the Utah High School Rodeo Association proposal, mass media articles and features, North Springs Shooting Range promotions including those involving law enforcement agencies.

Shalee's presentation continued and included the Energy Loop/Scenic Byway panels being fabricated, Dinosaur Diamond Byway revitalization and heading up the marketing for that committee, Castle Country Trail System and expanding it, Wood Hill Trail Head and future plans for the grand opening of the trail, kiosk and restrooms. They are planning the second annual Castle Country Trail Ride the Saturday of the Carbon County Fair. They have gone to several expos and trade shows and are planning on attending more. They have forty-three confirmed appointments with the international tour bus operators to encourage them to come through Carbon County while going to the National Parks. Sports Beat Radio is returning to promote areas where there isn't a National Park. They will be visiting the North Springs Shooting Range. The Office of Tourism enjoys working with the local community and providing swag as requested. Their work is showing results in the TRT and TRCC taxes, which helps the entire county.

Commissioner Potter thanked Shalee for the presentation and for her and Stephanie's hard work.

15) Report on Senior Citizen Center Activities – Debby Kobe

Debby said there has been a lot of misconception about the cuts made to the Friday meal at the Senior Center. She read a letter published in the newspaper clarifying the correct information about the operation of the Center and what is still being offered. The letter noted that the Center is still operating five days a week with lunch being served Monday through Thursday. The Mobile Meal program has not been cut and provides meals seven days a week to those who are home bound. The Senior Center serves the over sixty residents of the County by promoting physical, emotional and economic well-being including participation in community life. In an attempt to continue serving lunch on Friday's they are asking for businesses and individuals to sponsor the Friday lunch.

Debby estimates the cost for lunch on Friday to be \$350 for Price and \$90 for the East Carbon Center. They have already received pledges for Friday meals through July. She read a list of interested sponsors totally twenty-one different companies, groups or individuals. Debby thinks the number of sponsors is awesome. The first sponsored meal was served on April 1st and 82 people attended. Debby had not been asking for sponsors, people have just offered. She invites the Commissioners to be a sponsor of a Friday meal.

The Senior Center is also working on a new brochure that lists all of the different activities. They are in the process of putting together a gift/craft shop with items donated by seniors or other crafters. All of the proceeds will come back to the Senior Center.

Commissioner Hopes asked Debby to expand on how the Friday meal is being prepared. Debby explained that last week they served a pasta salad, sandwich and cake. The pasta salad and cake were prepared in advance during the week. On Friday morning the Friday employees put together the sandwiches and served the meal. This Friday Tony Basso Group is the sponsor and they are sending people over to put the food together and work the line.

Commissioner Hopes said it is a good way to get to know the people who attend the Senior Center. Debby said people want to be there so they can help. She sees a lot of positive coming out of this.

Commissioner Potter said we have one of the finest centers in the State of Utah and appreciates Debby keeping it that way. We offer good programs and it is a credit to our community volunteers.

16) Consideration and possible approval of fee adjustment for rental of rooms and Carbon Senior Center

Debby gave the Commissioners a chart of the previous rates for room rental at the Senior Center. They do not rent out the classrooms very much and when they do it is for something that is tied directly to seniors. Most requests for rentals are referred to the Event Center. She would like the room rates doubled and if they want to use the audio and projector equipment they would charge an additional \$15.00.

Commissioner Hopes asked if she had compared rates with the hotels and other area facilities. Debby said the Senior Center is still well below them. Debby said the House of Hearing and the Piano Gallery rent regularly and they do provide a service to the seniors. Some groups use the facility for free like the Carbon County Historical Society, DUP and various military groups. If the organization is making money they should be paying a rental fee.

Commissioner Hopes made a motion to approve the fee adjustment for rental of rooms at the Senior Center. Commissioner Mellor seconded. Motion carried.

17) Consideration and possible approval of agreement for joint or cooperative undertaking to establish a public insurance agency mutual for the purposes of administering the Utah Search and Rescue Act

Christian said this was received from the Utah Search and Rescue advisory board. This is based on new legislation that allows our local search and rescue team to receive some reimbursement for expenses incurred when they respond to a call. This fee may be charged to those requiring rescue. For the most part, the funding will be provided by the legislature or by donations. This would be for reimbursement for material and equipment but not for salaries. They have asked each county involved to sign this interlocal agreement.

Commissioner Hopes talked to the Sheriff and the legal counsel and they are still working on this. He would like more information before moving forward like how the program is administered, who does it and where the monies go. Christian doesn't know how the rescue assistance card is supposed to work. It is applied that you could buy a card to avoid paying for a rescue. Commissioner Hopes said another agency would issue the card but it is not an insurance

policy. It is not clear if you were ever to get lost would you or wouldn't you be responsible for the rescue. Commissioner Potter said they are also asking for a five year contract which seems excessive.

Commissioner Hopes made a motion to table this item in order to receive more information. Commissioner Mellor seconded. Motion carried.

18) Discussion concerning 7630 Elevation Mean Sea Level versus 7638 Mean Sea Level – John Alger

John Alger has spent time with our surveyor and engineer. He read a letter given to the Commissioners concerning the Bolotus Subdivision in Scofield regarding the boundary line between Carbon County residents and the USA. The property was sold as simple above elevation 7630. 7630 is mean sea level and was established in 1916.

Commissioner Hopes asked him to clarify that when he is talking about the USA he is referring to the Bureau of Reclamation. John said on the property ownership maps it shows USA.

John said the reason to discuss the 7630 property line designation is because there is more than one written document put out by the Bureau of Reclamation and Carbon County that made people wonder about the elevation on these documents being 7638.9. It took those attending the meeting with Ben Grimes, Curtis Page, and Commissioner Hopes to determine that these maps are using a different format. John continued to read his letter where it says this is similar to using a different control point. The control used is actually reading 7634 to produce 7630 so the new format (7638) is not sea level. The new format is called NGVE88 which means the National Geo Vertical Data 88. The new format states that 7630 is mean sea level but the new line on the maps is 7638.9. It's almost five feet higher than the 7630 even after the change the formats. There is no evidence anywhere of this approximate five feet difference.

John has talked to the County Commissioners and the Engineer Department, the Denver Office of National Geographic Survey, Provo Bureau of Reclamation and Mr. Christensen. Mr. Christensen said that this difference may have come from a BLM survey of Section 17 which is on the other side of Scofield towards the town. No evidence of this has been provided.

The reason John is here is that he would like Carbon County to produce a 7630 property line, especially on his plat of property that he gets from Carbon County. He currently has a 7638 line on the plat of his property and it has no basis. His other issue is that the proposal to mediate with the federal government is to have Carbon County use the 7638 mean sea level. All of the plats speak 7630 mean sea level. He sees no reason to confuse people by throwing in a different format. The mean sea level is what is stated on their property deeds.

The only evidence he has found to change the property line between his property and the USA and other 150 residents in the same area to 7638.9 is word of mouth. There is one map that states another format called NAVE29. This is just something to confuse people and has no basis or bearing on Scofield. It was called mean sea level until 1977 when they changed the name to NGVD. It is not the normal mean sea level. When the United States ran these levels across the country, they put in monuments. These monuments were put in so that they would be recorded for all time. There was a monument in the Scofield school house dated 1928, the monument reads 7702 and when they adjusted it in 1935 that survey marker was 3/10th difference to the original, so now it reads 7702.3. That 3/10ths could be an error in adjustments across the United States or that the school has sunk into the ground. But it is still only a 3/10th difference and not close to the 4 to 5 feet. About 2/3rd of the homes in Scofield that are below the 7638.9 line are above the 7630. The 7630 is the line that turns the property, 7638 line does not turn any property boundary. There is a bill that is helping clear up this problem in Scofield. But the property owners are not willing to sign a document if they are still being told that they do not own their property.

The 7630 mean sea level line on the maps puts his property out of the claim of the USA. Mean sea level 7634 takes in his complete property which would make his property belonging to the USA. John is a surveyor and is currently not licensed but is knowledgeable. Currently when he looks up his property lines there is a line across his property that makes it worthless. It says it doesn't belong to him. There is no basis for this and he would like it removed. He would like 7630 used where there is proof of use. If you are going to use the mean sea level then use the true numbers that relates to 7630.

Christian said the number was given to them by the Bureau of Reclamation. The Federal Government has said this is what it is. John said Mr. Christensen took an area of Scofield to court and in the court proceedings the property was taken away for taxes and sold back to the County. Later it was sold for taxes the 7630 line would not be exempt anymore. The way it was proven by Mr. Christensen was, he produced a May 29 date for the date of the sale of the property. John has tried to reproduce that and cannot find an auction date in our county records. Mr. Christensen's job in

the court hearings was to clear the land. He went so far as to produce a record that Mr. Alger cannot find. The record should be available at the courthouse. He can prove that it sold on May 27th and that it was sold for less money than what the county would have sold it for. The county normally sells for the penalty plus the taxes. But it was sold for less than that and makes it illegal. It is John's opinion that Mr. Christensen does not have Mr. Alger's property line correct.

Commissioner Potter said the real issue is we still need to establish where that boundary line is. John's valid claims as a property owner should and could be sought in according to law. Obviously we have a responsibility that our recording and those kinds of things are kept, maybe we need to look into those things. We would need to call in the professionals to do that because we are being told this is the level based on the Federal Government. It doesn't mean we have to believe them but that is where the battle is. We need to do diligent and move forward. Commissioner Potter asked Mr. Alger to wrap up his comments and then we can move the discussion to our surveyors and engineers.

John would like to add that the county surveyor can determine that in very little time. John has talked to Mr. Christensen who can provide zero proof of the extra five feet. John said he can prove that it doesn't exist and he would like Carbon County not to put the 7638 number inside the proposal when they speak with the government. Why use it if it's not true.

Commissioner Potter said we obviously have work to do on this before the bills come forward. Mr. Alger was thanked for his presentation.

19) Review and possible approval of contract for Engineering Services between Carbon County and Jviation for AIP No. 3-49-0026-17 Airport Chain Link Wildlife Fencing

Commissioner Potter said this is concerning the ongoing improvements at the airports. We have already approved the concept and to have Jviation complete the work. This contract is to put up fencing around the airport to keep wildlife off of the runways.

Christian said he has reviewed this contract and does not see any problems. Commissioner Potter said it is very similar to the other improvement contracts.

Commissioner Mellor made a motion to approve the contract with Jviation, Commissioner Hopes seconded. Motion carried.

20) Approval of complete CIB list for 2017 for all cities, towns and services districts within Carbon County

Commissioner Potter asked if Seth had any questions. Seth said the list no longer includes the 7th District Court Building. He called the CIB staff office to make sure this was okay and they were not available today. The 7th District Court Building application has been submitted to the CIB and is scheduled for review at their May meeting to be funded in June. Seth questioned if the absence of it on this list would slow things down. It came off of the list because it has been submitted and is ready to be funded, but he does not want the project derailed because it is no longer on a list.

Commissioner Hopes asked when this is due. Sandy said right away.

Commissioner Potter said to find this out tomorrow and see if it needs correcting. This is fiscal year 17 which began July 1, and our project is in line for June funding, we are probably good but we need to make sure. Commissioner Potter asked Sandy to call Michael and verify if we need to make that adjustment before we submit.

Commissioner Mellor made a motion to approve the CIB list with the potential of adding back the courthouse if necessary after tomorrow's discussion. Commissioner Hopes seconded. Motion carried.

21) Approval of Property Tax Exemptions

Commissioner Potter asked Christian if we need to read the Property Tax Exemption list into the minutes. Christian said by description these are primarily church owned properties and others charitable entities. If you indicate that it is available for review that would be sufficient.

Seth said there are four parcels being added to the list and a couple coming off. Parcels being added are 01-1973-0060 Habitat for Humanities, 01-0392-0000 Four Corners Behavioral Health, 01-0429-0000 Rise Legacy Development, and 01-2535-0000 Rural Child Development Head Start. Parcels being removed are two parcels sold by the East Carbon Community Church because they are no longer a not-for-profit properties.

Property 1C-0348-0003 is owned by ABC Learning Center and Library. They have not submitted the required paperwork for the tax exemption despite many phone calls and letters from the Clerk/Auditors office. ABC Learning Center has come before the commission before for donations to operate but ABC Learning has not been willing to submit the paperwork necessary to receive the property tax exception which they would be entitled to if they signed and submitted the form. If the property is removed ABC Learning will probably be coming back before the Commission because they will not be able to pay their taxes. Currently, based on the rules, the property should be removed from the continued property tax list because of the lack of documents for this year. It is important to know that it is not the County's fault if they do not qualify for the property tax exemption.

Commissioner Hopes made a motion to accept the property tax exemptions. Commissioner Mellor seconded. Motion carried.

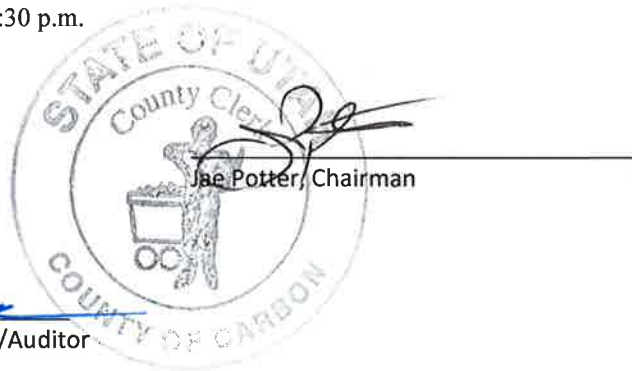
22) Review and Approval of Departmental Reports and County Warrant Edit Reports

Commissioner Hopes made a motion to adjourn. Commissioner Mellor seconded. Motion carried.

The meeting adjourned a 6:30 p.m.

ATTEST:


Seth Oveson, County Clerk/Auditor



Jae Potter, Chairman